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FILED
Clerk
District Court

JUN 25 2007

For The Northern Mariana Islands
By _____
(Deputy Clerk)

8
9 UNITED STATES DISTRICT COURT
10 NORTHERN MARIANA ISLANDS
11

12 UNITED STATES OF AMERICA,) Criminal Case No. 07-000016
13)
Plaintiff,)
14)
v.) PLEA AGREEMENT
15)
REDOR, ARMAN ABBOT,)
16)
Defendant.)
17)
_____)
18

19 Under Rule 11(c)(1)(B) of the Federal Rules of Criminal Procedure, the UNITED
20 STATES OF AMERICA and Defendant, ARMAN ABBOT REDOR, have reached the following
21 Agreement:

22 1. Defendant will plead guilty to Count One of the Indictment, which charges
23 Defendant with a violation of Title 18, United States Code, Section 371, in connection with a
24 conspiracy to commit offenses against the United States, to wit, to submit false, fictitious and
25 fraudulent claims against the United States in violation of Title 18, United States Code, Section
26 287, and to aid, assist, counsel, procure and advise tax fraud in violation of Title 26, United
27 States Code, Section 7206(2), from in or about February 2007 through April 2007, in the District
28 of the Northern Mariana Islands.

1 a. Defendant agrees that the time between the filing of this Agreement and
2 the date Defendant is sentenced following the change of plea is excludable under the Speedy
3 Trial Act, 18 U.S.C. § 3161.

4 b. Upon execution of this Agreement, Defendant will cooperate with the
5 United States as follows:

6 i. Defendant will meet with government representatives as often as
7 necessary to provide information, answer questions, prepare for court or other official
8 proceedings, and such other purposes as deemed necessary by the government to fulfill his
9 responsibilities under this Agreement;
10

11 ii. Defendant will appear and testify in any and all legal proceedings,
12 including, but not limited to, grand jury, pre-trial, trial, re-trial, and sentencing proceedings; and
13

14 iii. Defendant understands that any and all statements, information,
15 and testimony that he provides must at all times be complete and truthful. If, at any time,
16 Defendant willfully provides statements, information, or testimony that is less than complete and
17 truthful, Defendant shall be subject to prosecution for doing so, including, but not limited to,
18 prosecution for making a false statement, obstruction of justice, and perjury.
19

20 2. In exchange for Defendant's plea of guilty, the government will recommend that
21 the Court impose the following sentence:
22

23 a. The government will recommend that the Court impose a term of
24 imprisonment within the range provided by the United States Sentencing Guidelines ("U.S.S.G."
25 or "guidelines"), not including probation or a split-sentence even if provided by the guidelines,
26 provided that Defendant does not seek a sentence below the guidelines range for any reason.
27

28 b. The government is free to recommend any combination and amount of

1 supervised release, fines and restitution which it deems appropriate.

2 c. If the government, in its sole discretion, determines that Defendant has
3 provided substantial assistance in the investigation or prosecution of another person, the
4 government will file a motion under § 5K1.1 of the guidelines asking the Court to impose a
5 sentence below the guideline range. Defendant understands that the substantial assistance
6 determination is solely up to the Office of the United States Attorney. Defendant also
7 understands that the Court alone makes all sentencing decisions, including the sentence to be
8 imposed. The government makes no promise or representation about what sentence it will
9 recommend if it makes such a determination or what sentence the Court will impose.
10

11 3. For purposes of determining the offense level under the guidelines:

12 a. The government agrees to recommend a two-level reduction in the offense
13 level for acceptance of responsibility under § 3E1.1(a) provided Defendant continues to
14 demonstrate acceptance of responsibility through sentencing.
15

16 b. The government agrees to recommend a one-level reduction in the offense
17 level for timely acceptance of responsibility under § 3E1.1(b) if, and only if, the Defendant
18 notifies the government of his intent to enter a plea of guilty pursuant to this Agreement on or
19 before June 20, 2007.
20

21 c. Except as provided in paragraphs 3 and 4, the parties have made no
22 agreement concerning the guidelines or their application to this case. Both the United States and
23 Defendant reserve their rights to argue and present evidence on all matters affecting the
24 guidelines calculation.
25

26 4. The parties stipulate and agree to the following facts:
27
28

- 1 a. That U.S.S.G. § 2T1.1 is applicable;
- 2 b. That the loss to the United States was \$71,892.45;
- 3 c. That the Base Offense Level under U.S.S.G. § 2T1.1(a), and according to
- 4 the table found at U.S.S.G. § 2T4.1, is 14.

5
6 5. Defendant understands that the guidelines are not binding on the Court. The
7 Court must consult the guidelines but they are only advisory. Defendant also understands that
8 the Court alone makes all sentencing decisions, including the application of the guidelines and
9 the sentence to be imposed. The Court is not bound by the parties' stipulations or agreements
10 concerning facts, the offense level or adjustments under the guidelines, or the government's
11 recommendations. The Court, in its discretion, may impose any reasonable sentence up to and
12 including the maximum penalties set by law after taking into account the factors enumerated in
13 18 U.S.C. § 3553(a). Defendant is further advised and further understands that even if the
14 Court's guideline determinations and sentence are different than Defendant expects, Defendant
15 will not be allowed to withdraw his plea of guilty.

- 16
17
18 6. The maximum penalties for the offense to which Defendant is pleading guilty are:
- 19 a. Five years' imprisonment;
 - 20 b. a fine of \$250,000 or the greater of twice the loss to the United States or
 - 21 the gain to Defendant;
 - 22 c. a term of supervised release of three years; and
 - 23 d. a mandatory special assessment of \$100.

24
25 7. Defendant agrees to pay the mandatory special assessment by returning this signed
26 Agreement to the United States Attorney's Office along with a money order or certified check,
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1 payable to the Clerk, United States District Court, District of the N.M.I.

2 8. Defendant is advised and understands that to establish a violation of Title 18,
3 United States Code, Section 371, conspiracy to commit offenses against the United States, as
4 charged in Count One of the Information, the government must prove each of the following
5 elements beyond a reasonable doubt:
6

7 a. First, beginning in or about February 2007, and ending in or about April
8 2007, there was an agreement between two or more persons to commit at least one crime as
9 charged in the Indictment;
10

11 b. Second, the Defendant became a member of the conspiracy knowing of at
12 least one of its objects and intending to help accomplish it; and
13

14 c. Third, one of the members of the conspiracy performed at least one overt
15 act for the purpose of carrying out the conspiracy.

16 9. Defendant is advised and understands that he has the following rights:

17 a. the right to plead not guilty and to persist in that plea;

18 b. the right to a jury trial;

19 c. the right to be represented by counsel – and if necessary have the Court
20 appoint counsel to represent Defendant -- at trial and every other stage of the proceeding;
21

22 d. the right at trial to confront and cross-examine adverse witnesses;

23 e. the right at trial to compel the attendance of witnesses;

24 f. the right at trial to be protected from compelled self-incrimination; and
25

26 g. the right at trial to testify and present evidence but only if Defendant
27 chooses to do so.
28

1 Defendant is further advised and understands that, if he pleads guilty and the
2 Court accepts the plea, he waives all of these trial rights.

3
4 10. The government reserves its full right of allocution, including the right to present
5 any information to the Court for its consideration in fashioning an appropriate sentence, the right
6 to correct misstatements, misrepresentations, or omissions by Defendant, and to answer without
7 limitation any questions asked by the Court.

8
9 11. In exchange for the government's concessions in this Agreement, the Defendant
10 waives any right to appeal this conviction or to collaterally attack this conviction. Defendant
11 reserves the right to appeal the sentence imposed in this case, and this Agreement does not
12 prevent the Defendant from challenging the effectiveness of his attorney after conviction.

13
14 12. This Agreement does not affect the rights or obligations of the United States as set
15 forth in 18 U.S.C. § 3742(b), and the government retains its right to appeal any of the Court's
16 sentencing determinations.

17
18 13. This Agreement is binding on the government only if Defendant pleads guilty,
19 fulfills all his obligations under this Agreement, does not engage in any conduct constituting
20 obstruction of justice as defined in U.S.S.G. § 3C1.1, and does not commit any new offenses.

21
22 14. Defendant understands that if he violates this Agreement in any way, the
23 government shall consider the Agreement to have been breached. In that event, Defendant shall
24 not have the right to withdraw his guilty plea. The government, however, will be released from
25 its obligations and restrictions imposed by the Agreement. The government may, in its sole
26 discretion and without limitation, proceed with any one or more of the following steps:

27 a. go forward with the guilty plea and sentencing;
28

1 b. make any and all sentencing recommendations that it deems appropriate;

2 c. treat the Agreement as a nullity, that is, as though the parties had never
3 entered into it, withdraw the Agreement, and go to trial on the information;
4

5 d. pursue additional charges against Defendant; and

6 e. use against Defendant, in this and in any other prosecution or proceeding,
7 any and all information, statements, and testimony, including the stipulations made herein, that
8 he has provided at any time to government representatives, the grand jury, or to the Court.
9

10 15. This Agreement is limited to the District of the Northern Mariana Islands. It does
11 not bind any other federal, state, or local authorities.

12 16. This Agreement constitutes the entire agreement between the parties. No other
13 promises or inducements have been made concerning the plea in this case. Defendant
14 acknowledges that no person has, directly or indirectly, threatened or coerced Defendant to enter
15 this Agreement. Any additions, deletions, or modifications to this Agreement must be made in
16 writing and signed by all the parties in order to be effective.
17

18 17. Defendant understands that, pursuant to 18 U.S.C. § 3143(a), he is not eligible for
19 release pending sentencing.
20

21 18. Counsel for Defendant states that he has read this Agreement, been given a copy
22 of it for his file, explained it to Defendant, and states that to the best of Counsel's knowledge
23 and belief, Defendant understands the Agreement.
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1 19. Defendant states that he has read the Agreement or has had it read to him, has
2 discussed it with his Counsel, understands it, and agrees to its provisions.
3

4
5 DATED: JUNE 22, 2007



ARMAN ABBOT REDOR
Defendant


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7
8 DATED: 6/22/07



COLIN M. THOMPSON, ESQ.
Attorney for Defendant

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11 LEONARDO M. RAPADAS
United States Attorney
District of the Northern Mariana Islands
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13
14 DATED: 6/25/07



ERIC S. O'MALLEY
Assistant U.S. Attorney
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